



March 21, 2006 CPC  
May 16, 2006 CPC  
May 24, 2006 BS

STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

06SN0205

Golf Connection LLC

Dale Magisterial District  
North and south lines of Highland Glen Drive

REQUEST: Amendment of Conditional Use (Case 88SN0148) relative to setback requirements for recreational facilities.

PROPOSED LAND USE:

Recreational uses are proposed. The specific reason for this amendment is to accommodate a clubhouse.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS ON PAGES 2.

STAFF RECOMMENDATION

Recommend approval for the following reason:

The proffered conditions are consistent with conditions required for similar facilities adjacent to residential areas.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

## PROFFERED CONDITIONS

- (STAFF/CPC)      1.      Outdoor play fields, courts, swimming pools and similar active recreational areas shall be located a minimum of 100 feet from any single family residential lot line. The golf course and related appurtenances shall not be considered as an active recreational area. (P)
- (STAFF/CPC)      2.      A fifty (50) foot buffer shall be provided along the perimeter of all active recreational facilities where adjacent to single family residential lots. This buffer shall conform to the requirements of the Zoning Ordinance for buffers, Section 19-522(2). (P)
- (STAFF/CPC)      3.      Prior to the issuance of a certificate of occupancy for indoor recreational use on the portion of the request property adjacent to Tax ID 765-645-3181, a landscaped berm shall be installed along the property line abutting Tax ID 765-645-3181. The exact design and treatment of the berm shall be approved by the Planning Department at the time of site plan approval for such indoor recreational use. The berm shall be irrigated.

(Note: Conditions 1, 2 and 3 supersede Condition 10 of Case 88SN0148.)

## GENERAL INFORMATION

### Location:

North and south sides of Highland Glen Drive. Tax ID 764-644-7996 (Sheet 33).

### Existing Zoning:

R-25 with Conditional Use

### Size:

160.7 acres

### Existing Land Use:

Golf course/Vacant

### Adjacent Zoning and Land Use:

North, South, East and West - R25 with Conditional Use; Single family residential and recreational use within the Highlands Development, or vacant.

## UTILITIES; ENVIRONMENTAL; PUBLIC FACILITIES ; AND TRANSPORTATION

The proposed amendment will have a minimal impact on these facilities.

### LAND USE

#### Comprehensive Plan:

Lies within the boundaries of the Southern and Western Area Plan which suggests the property is appropriate for residential use of 1-5 acre lots; suited to R-88 zoning.

#### Area Development Trends:

The area is characterized by single family residential use and associated recreational use to include a golf course and clubhouse within the Highlands Development.

#### Zoning History:

On March 22, 1989, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved rezoning to Residential (R-25) with Conditional Use to permit recreational facilities on property now known as the Highlands development (Case 88SN0148). With approval of Case 88SN0148, conditions included setback requirements for clubhouse, tennis court and swimming pool uses from residential lots.

#### Current Proposal:

Condition 10 of the existing zoning (Case 88SN0148) established a 200 foot setback for clubhouse, tennis court and swimming pool uses.

This request is to modify the setback requirements for these uses. If approved, clubhouses and any other indoor recreational facilities would be required to meet the setbacks for Residential (R-25) Districts rather than the 200 feet currently required.

Proffered Conditions establish setback and buffer requirements for active recreational uses such as outdoor play fields, tennis or basketball courts and swimming pools (Proffered Conditions 1 and 2) consistent with that required for such uses in other developments. The purpose of these setbacks is to minimize the noise impact of outdoor recreational uses on area residents. The golf course and related appurtenances are not considered active recreational areas and are not subject to these setback and buffer requirements.

#### Landscaping and Berm:

To address concerns of an adjacent property owner, Proffered Condition 3 requires a landscaped berm be installed along the property line of Tax ID 765-645-3181.

## CONCLUSION

The recreational facilities provide an amenity for the Highlands development. The proffered conditions will minimize the impact of active outdoor recreational uses on area residents.

Given these considerations, approval of this request is recommended.

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## CASE HISTORY

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### Planning Commission Meeting (3/21/06):

The applicant accepted the recommendation. An adjacent property owner expressed concern relative to potential noise and lighting.

In response, the applicant requested a sixty (60) day deferral.

At the request of the applicant, the Commission deferred this request to their May 16, 2006, public hearing.

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### Staff (3/22/06):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than March 27, 2006, for consideration at the Commission's May 16, 2006, public hearing. Also, the applicant was advised that a \$130.00 deferral fee must be paid prior to the Commission's public hearing.

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### Applicant (3/29/06):

The deferral fee was paid.

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### Applicant (4/13/06 and 4/19/06):

Revised proffered conditions were submitted.

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### Planning Commission Meeting (5/16/06):

The applicant accepted the recommendation. There was support and opposition present.

Several persons stood in support of the request. An adjacent property owner expressed concerns that a proposed expansion of the clubhouse would infringe upon residential property rights due to increased noise and lighting.

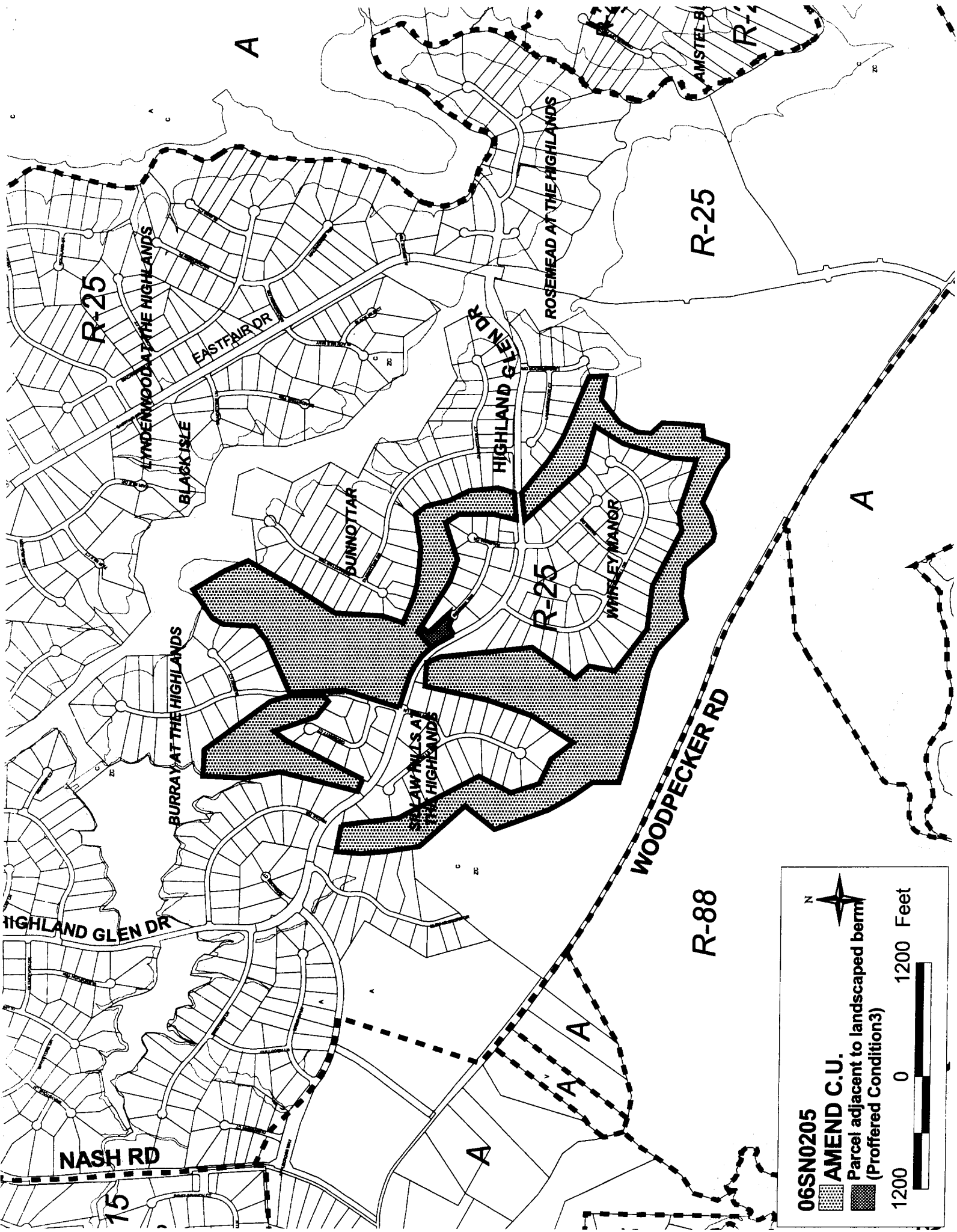
Mr. Litton indicated that the proposed landscape buffer adjacent to the expansion area should be sufficient to address the noise and lighting concerns.

On motion of Mr. Litton, seconded by Mr. Gulley, the Commission recommended approval and acceptance of the proffered conditions on page 2.

AYES: Unanimous.

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The Board of Supervisors, on Wednesday, May 24, 2006, beginning at 7:00 p.m., will take under consideration this request.



06SN0205

AMEND C.U.

Parcel adjacent to landscaped berm  
(Proffered Condition3)

